

Response  
Application No. 10/809,889  
Attorney Docket No. 042089

### **REMARKS**

Claims 1 - 19 are pending in the present application. By this Amendment, claims 1, 7 and 13 have each been amended. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated November 30, 2006.

#### **As To The Merits:**

As to the merits of this case, the Examiner relies on the newly cited reference of Ogle et al. (USP 6,430,604) in setting forth the following rejection:

claims 1-19 stand rejected under 35 USC 103(a) as being unpatentable over Dorenbosch et al. (U.S. Patent Application Publication No. 2002/0173308) in view of Ogle et al.

This rejection is respectfully traversed.

Claim 1, as amended, now calls for *wherein when the user of the forwarding destination logs in, the forwarding destination information corresponding to the logged-in user of the forwarding destination is extracted from a forwarding destination column of the received instant message, the extracted forwarding destination information is set as a destination, and the instant message is transmitted to the user of the set destination.* Independent claims 7 and 13, as amended, now recite similar features.

For example, as discussed in paragraphs [0015] and [0016] of the present specification, the forward destination column 26 of the first instant message 20 sent by the first terminal 16a and received by the communication device 100 is used as the forwarding destination 32 in the second instant message 30 sent by the communication device 100 to the second client terminal 16b.

In contrast, paragraph [0021] of Dorenbosch et al. calls for the following:

FIG. 3 illustrates the basic structure of an instant message 42 of the type that is transmitted across the IM system 10. The instant message structure is similar to that of an email message and includes both a message header 44 and a message body 46. The header 44 includes both target buddy "To" and source buddy "From" subheaders 48, 50. The target buddy subheader 48 contains information that identifies a subscriber who is intended to receive the instant message 48, while the source buddy subheader 50 contains information that identifies an IM subscriber who is sending the instant message. The header 44 may also contain other information such as timestamp and subject information. The message body 46 contains the actual message that is to be communicated to the target buddy. As will now be described, the IM proxy 24 efficiently utilizes the information in the target buddy and source buddy subheaders 48, 50 to manage IM sessions between a mobile subscriber, such as the mobile subscriber 12, and buddies of the mobile subscriber, and in a manner that minimizes the occurrence of instant messages intended for the mobile subscriber being dropped.

In view of the above, it is respectfully submitted that while Dorenbosch et al. may disclose that the IM proxy 24 efficiently utilizes the information in the target buddy and source buddy subheaders 48, 50 to manage IM sessions between a mobile subscriber, such as the mobile subscriber 12, and buddies of the mobile subscriber, such reference fails to disclose or fairly suggest the features of claim 1 concerning *wherein when the user of the forwarding destination logs in, the forwarding destination information corresponding to the logged-in user of the forwarding destination is extracted from a forwarding destination column of the received instant message, the extracted*

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*forwarding destination information is set as a destination, and the instant message is transmitted to the user of the set destination.*

Further, according to col. 9, lines 24-31 of Ogle:

FIG. 4 shows a high-level example of the message flows that occur with the IMS extension of the present invention. These flows are also applicable for the non-IMS-based sender scenario, where the element 403 is replaced by a wireless messaging system extended according to the fourth and fifth embodiments (i.e. an "EMS"). Sender S 401 wishes to send an instant message 402a to a particular recipient, who for this example is the user "Dave Smith" 311. **Assume that this user is not logged on to an IMS at the time. In the prior art, the IMS would reject the message 402a, leaving sender 401 the options of not sending the message or finding some alternative way to contact user 311. According to the present invention, however, the extended IMS 403 receives the message 402a, and searches for alternative mechanisms for delivering the message 402a to user 311.**

However, while Ogle may teach that an alternative mechanism may be used for delivering the message 402a to the user 311, such reference fails to disclose or fairly suggest the features of claim 1 concerning *wherein when the user of the forwarding destination logs in, the forwarding destination information corresponding to the logged-in user of the forwarding destination is extracted from a forwarding destination column of the received instant message, the extracted forwarding destination information is set as a destination, and the instant message is transmitted to the user of the set destination.*

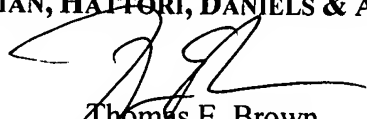
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In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
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